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PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

P-10285-US

First named inventor: Jonathan A. Barney

Application No.: 09/545,658

Art Unit: 3714

Filed: 4/10/2000

Examiner: Mosser, Robert E.

Title: MULTI-MEDIA INTERACTIVE PLAY SYSTEM

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 685 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Amendment and Response (identify type of reply):

- ☒ has been filed previously on Feb 27, 2004 (+copy 3/15/04).
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/12/2005 AMNDPAF1 00000034 501746 09545658

01 FC:2453 750.00 DA

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

January 4, 2005

Date

Signature

Telephone

Number: (949) 395-2535

Jonathan A. Barney

Typed or printed name

312 Signal Road, Suite 200

Address

Newport Beach, CA 92663

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Petition to Revive Transmittal Letter

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

January 4, 2005

Date

Signature

Jonathan A. Barney

Type or printed name of person signing certificate



PATENT

Case Docket No. P-10285-US

Date: January 4, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Rick A. Briggs, et al.

App. No. : 09/545,658

Filed : 4/10/2000

For : P-10285-US

Group Art Unit : 3712

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

1/4/2005

(Date)

Jonathan A. Barney, Reg. No. 34,292

PETITION TO REVIVE TRANSMITTAL LETTER

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

MAIL STOP: Petition

Dear Sir:

Applicant submits the enclosed "Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)." Enclosed are:

- (X) Petition to Revive.
- (X) Return prepaid postcard.

PATENT

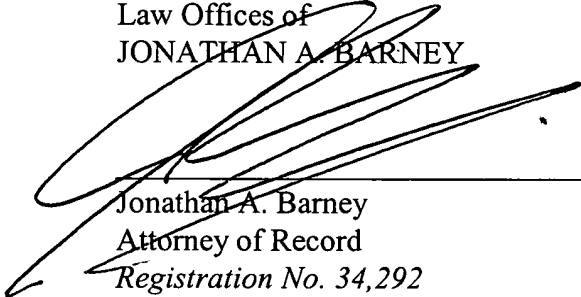
Case Docket No. P-10285-US

Date: January 4, 2005

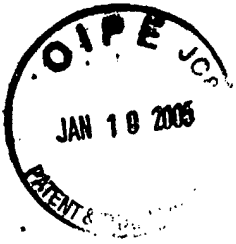
Additional Information:

- (X) Applicant claims small entity status under 37 CFR 1.9 and 1.27.
- (X) The Commissioner is hereby authorized to charge the fee set forth in 37 C.F.R. § 1.17(m) including any additional fees which may be required, now or in the future, or credit any over-payment, to Account No. 50-1746. A duplicate copy of this sheet is enclosed.
- (X) Please send all correspondence to LAW OFFICES OF JONATHAN A. BARNEY
(USPTO Customer No. 27,948)

Law Offices of
JONATHAN A. BARNEY



Jonathan A. Barney
Attorney of Record
Registration No. 34,292
Ph: (949) 645-2535
Customer No. 27,948



PATENT

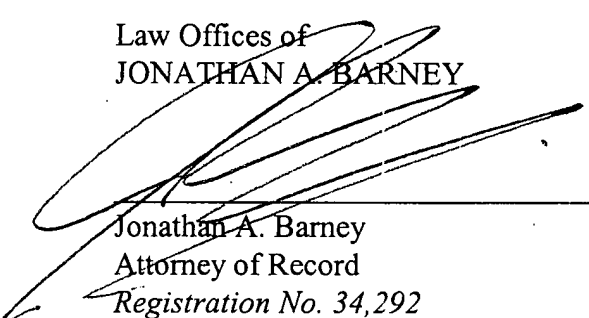
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(USPTO Customer No. 27,948)

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